

**RICHLAND COUNTY COUNCIL
REGULAR SESSION
APRIL 3, 2001
6:00 P.M.**

MEMBERS PRESENT: Kit Smith, Chair; L. Gregory Pearce, Jr., Vice-Chair; Joan B. Brady; Susan Brill; Paul Livingston; Joseph McEachern; J.D. "Buddy" Meetze; Anthony G. Mizzell; Bernice G. Scott; Thelma M. Tillis; James Tuten

OTHERS PRESENT: T. Cary McSwain, Michielle Cannon-Finch, Darren Gore, Michael Byrd, Darren Gore, Monique Walters, Milton Pope, Tony McDonald, Pam Davis, Chief Harrell, Ralph Pearson, Stephany Snowden, Larry Smith, Amelia Linder, Mullen Taylor, Randy Jorgenson, Jim Prater, Members of the EMS Department, Marsheika Martin

CALL TO ORDER

The meeting was called to order at approximately 6:00 p.m.

INVOCATION

The Invocation was given by the Honorable Jim Tuten.

ADOPTION OF AGENDA

Mr. McSwain stated a Presentation by Martha Bogle of the National Park Service would be presented under the Report of the County Administrator.

Ms. Smith stated the City of Columbia has requested a zoning change to be added to the agenda regarding the water plant. She stated it could be added to the agenda with unanimous consent. Mr. Meetze objected.

Ms. Smith stated the Storm Water Management Ordinance would be moved to the end of the agenda as item-6.

Mr. Mizzell moved, seconded by Mr. Pearce, to adopt the agenda as amended. The vote in favor was unanimous.

POINT OF PERSONAL PRIVILEGE

Mr. Pearce recognized Bob Russell, Bruce Rippeteau and C.V. Smith and thanked them for coming out to support the Lease Agreement for the Curtiss Wright Hangar that was on the consent agenda.

PRESENTATION OF RESOLUTIONS

Emergency Services Department – Mr. McSwain presented a Resolution commending EMS employees.

Miss Austin Newman, S.C. Volunteer of the Year – Mr. Pearce presented a Resolution to Miss Newman for her outstanding volunteer work.

CITIZEN'S INPUT

- Ms. Susanne Jordan spoke in opposition of the Storm Water Management Ordinance.
- Mr. Michael Letts spoke of concerns regarding the Storm Water Management Ordinance.
- Ms. Kay Powell Rushe spoke in opposition of the Storm Water Management Ordinance.

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- Ms. Cathy Novinger spoke in opposition of the Storm Water Management Ordinance.
- Ms. Virginia Sanders spoke in opposition of the Storm Water Management Ordinance.
- Mr. Patrick Palmer spoke in opposition of the Storm Water Management Ordinance.
- Mr. Robert Fitzsimons spoke in favor of the Storm Water Management Ordinance.
- Mr. Jim Prater presented two recommendations to Council regarding the Military Forest Funds.
- Ms. Lillie Bates spoke in favor of the Storm Water Management Ordinance and in opposition of the Conservation Commission Ordinances.
- Ms. Kay McClanahan spoke in opposition to the Conservation Commission Ordinance.
- L.S. Alexander spoke in favor of the Storm Water Management Ordinance.
- Mr. Bill McClanahan spoke in opposition of the Conservation Commission Ordinance.
- Mr. Richard Scharf spoke in favor of the Storm Water Management Ordinance.
- Ms. Evelyn Bush spoke in opposition of the Conservation Commission Ordinance.
- Mr. Bland Holman spoke in favor of the Storm Water Ordinance.

APPROVAL OF MINUTES - Regular Session: March 20, 2001

Mr. Pearce moved, seconded by Ms. Brady, to approve the minutes. The vote in favor was unanimous.

REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

Mr. Larry Smith, County Attorney, stated Council needed to receive a legal briefing on item 2-a (Storm Water Management Ordinance) in Executive Session.

REPORT OF COUNTY ADMINISTRATOR

Congaree National Monument

Ms. Martha Bogle, Park Director, announced that the Visitor's Center and Access Road Project won the Park Service's National Partnership Award, and thanked the County for their partnership in the project. She stated an awards ceremony will be held in Washington, DC, and the County is invited to attend.

DHEC Public Hearing

Mr. McSwain announced that a DHEC public hearing concerning Lucent Technologies is scheduled for tonight at 7:00 p.m.

OPEN/CLOSE PUBLIC HEARING ITEMS

Ms. Smith stated no one signed up to speak to any public hearings.

APPROVAL OF CONSENT ITEMS

Ms. Brill moved, seconded by Ms. Brady, to approve the following Consent Items as amended:

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- **01-23MA, Wendy Luce, First Commercial Company, from D-1 to C-3, South Side Rabon Road East of Farrow Road** – Third Reading given to this rezoning request.
- **Schmalbach Lubeca** – Third reading approval given to an ordinance consenting to revisions to the lease agreement between Richland County and Schmalbach Lubeca and the lease agreement between Richland County and Wilmington Trust Company to provide for a sale-leaseback arrangement between Schmalbach Lubeca and its affiliates.
- **01-37MA, Dibble Manning, from M-2 to M-1, 475 Killian Road** – Third reading given to this rezoning request.
- **Billboard Moratorium** – Third reading given to an ordinance amendment extending the billboard moratorium to July 31, 2001.
- **Littering Penalty Ordinance** – Second reading given to this ordinance amendment that corrects an inconsistency between the littering fine found in the Storm Water Management Ordinance and the Garbage, Trash and Refuse Ordinance.
- **01-15MA, Thomas McGee, from RU to C-2, 4114 Hard Scrabble Road** – Second reading given to this rezoning request.
- **01-44MA, Roy W. Derrick, from D-1 to C-3, 3515 Broad River Road** – Second reading given to this rezoning request.
- **01-45MA, Stan Mack and Thomas Burkett, from D-1 to C-3, Buckner Road** – Second reading given to this rezoning request.
- **01-46MA, Chip Carter, from RG-2 to C-3, Percival Road** – Second reading given to this rezoning request.
- **Change Order: Wiley Easton Construction** – Approved a \$97,377.00 increase in this construction contract to relocate sewer lines at the intersection of US 176 and I-26.
- **Easement for SCE&G Pressure Release Station** – First Reading approval of an ordinance authorizing the County to grant this easement for the installation of a gas regulation station on the Public Works Compound in Ballentine.
- **Quitclaim Deeds for Woodcreek Development and the Ridge** – First reading approval given to an ordinance authorizing execution of quit-claim deeds for a road right-of-way located on the east side of Spears Creek Road in return for payment of \$3,145.00.
- **Appearance Commission: Voting Members** – First reading approval of this ordinance amendment that provides two additional voting members to the Appearance Commission.
- **Election Commission: Voting Machine Preventative Maintenance** – approved the expenditure of up to \$45,000.00 to perform maintenance and upgrades to the County electronic voting machines.
- **Finance: Spending Resolution for the Township and Detention Center** – approved a Resolution authorizing the expenditure of general fund monies in an amount not to exceed \$13,030.00 to move forward with renovation of the Township and expansion of the Detention Center which will be reimbursed by the proceeds of general obligation bonds or other identified revenue sources.
- **Detention Center: Pilot Project for House Arrest** – First reading approval given to an ordinance authorizing the Detention Center to offer electronic monitoring, or house arrest, for inmates, with participating defendants bearing all associated costs.
- **Sheriff's Department Vehicles** – Approved the purchase of six replacement vehicles for \$129,289.00

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- **Airport Commission: Lease Agreement for Curtiss Wright Hangar** – First Reading approval given to an ordinance authorizing a lease agreement with for \$1.00 a year for 20 years in order to raise private funds for renovation of the Hangar.
- **Resolution: Dreher High School 3A State Girls Basketball Championship** – approved.
- **Resolution: Keenan High School 3A State Boys Basketball Championship** – approved.

1. THIRD READING ITEMS

b. Ordinance Amendment: Increase in County Code Violation

Ms. Scott moved, seconded by Ms. Brill, to give Third Reading approval to an ordinance amendment that increases the maximum penalty for code violations from \$200.00 to \$500.00. The vote in favor was unanimous.

c. Business Directory Signs

Mr. Pearce moved, seconded by Ms. Scott, to defer this item to the next meeting. The vote in favor was unanimous.

2. SECOND READING ITEMS

b. Conservation Commission Ordinance

Ms. Scott moved, seconded by Mr. Meetze, to defer this item.

The vote was as follows:

<u>In Favor</u>	<u>Oppose</u>
Livingston	Brady
Mizzell	Pearce
Meetze	Smith
Scott	McEachern
Tillis	Brill
	Tuten

The motion failed.

Ms. Brill moved, seconded by Ms. Brady, to give Second Reading approval to an ordinance that moves provisions of the Richland County Code that establishes the Conservation Commission from the Storm Water Management Chapter to Chapter 2, Administration, Article VII, Boards, Commissions and Committees.

The vote was as follows:

<u>In favor</u>	<u>Oppose</u>
Brady	Mizzell
Livingston	Meetze
Pearce	Scott
Smith	
McEachern	
Brill	
Tuten	
Tillis	

The motion passes.

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h. Sexually Oriented Businesses

Mr. Meetze moved, seconded by Mr. Tuten, to give Second Reading approval to this zoning ordinance amendment that deletes the section "injunction" from the Sexually Oriented Businesses Article due to item 1-a making it unnecessary to state fines in this section. The vote in favor was unanimous.

i. Landscape Ordinance

Ms. Brill moved, seconded by Ms. Brady, to give Second Reading approval to an ordinance amendment that increases the maximum fine amount for violations to \$500.00. The vote in favor was unanimous.

4. REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

d. Treasurer's Office: Military Forest Funds

Mr. McSwain stated it was initially recommended that \$41,596.92 be applied to the road that would benefit the public from Garners Ferry Road to the Sysco. He stated that \$1,000.00 each could be given to School Districts I, II and V.

A discussion took place.

Mr. Livingston moved, seconded by Ms. Scott, to approve the distribution of \$44,596.92 in the following manner: 30% to the County and 70% to the three school districts, to be divided in proportion to student population.

Mr. McSwain was directed to bring back a recommendation for spending the County's portion.

The vote in favor was the motion was unanimous.

5. APPROVAL OF RESOLUTION

Ms. Jeanne Stiglbauer and Mr. Walter Todd

Mr. Pearce moved, seconded by Ms. Brill, to approve Resolutions for Ms. Stiglbauer and Mr. Todd. The vote in favor was unanimous.

6. STORM WATER MANAGEMENT ORDINANCE

Ms. Scott moved, seconded by Mr. Meetze, to go into Executive Session. The vote in favor was unanimous.

Council went into Executive Session at approximately 7:10 p.m. and came out at approximately 8:10 p.m.

Mr. Pearce moved, seconded by Mr. McEachern, to come out of Executive Session. The vote in favor was unanimous.

Ms. Brady moved, seconded by Mr. McEachern, to give Second Reading approval to the County Attorney's recommended revisions to Council's amendment made during first reading.

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Ms. Smith read into the minutes the revised portion of the ordinance that Council would be adopting.

A discussion took place.

Ms. Scott wanted the record to reflect that the ordinance is against Burroughs and Chapin.

The vote for the motion was as follows:

<u>In favor</u>	<u>Oppose</u>
Brady	Livingston
Mizzell	Meetze
Pearce	Scott
Smith	
McEachern	
Brill	
Tuten	
Tillis	

The motion passes.

7. MOTION PERIOD/ANNOUNCEMENTS

- Ms. Scott moved to adopt a Resolution commended Richard Seymore, a graduate of Lower Richland High School and University of Georgia, for signing with the NFL.
- Ms. Smith stated that new guidelines for the accommodations tax distribution are ready to be used by the Accommodations Tax Advisory Committee this fiscal year.
- Mr. Livingston announced that the Council Rules are completed and will be on the next Council Agenda for approval.

8. CITIZEN'S INPUT

Ms. Smith stated no one signed up to speak at this time.

9. ADJOURNMENT

The meeting adjourned at approximately 8:35 p.m.

Kit Smith, Chair

L. Gregory Pearce, Jr., Vice-Chair

Joan Brady

Susan Brill

Paul Livingston

Joseph McEachern

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J.D. "Buddy" Meetze

Anthony G. Mizzell

Bernice G. Scott

Thelma M. Tillis

James Tuten

The minutes were transcribed by Marsheika G. Martin